

Notice of Allowability

Application No.

10/051,490

Applicant(s)

KELLER-TUBERG, STEFAN

Examiner

Roberta A. Shand

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed January 11, 2006.
2. ☒ The allowed claim(s) is/are 1-3, 5, 7-45, 47-70 and 72-83 renumbered 1-79.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>05/13/04, 11/21/03</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Bobby Slaton on January 26, 2006.

3. The application has been amended as follows:

Claim 1,

line 1, "inverse multiplexing over", has been replaced with -- inverse multiplexing (IM) over--.

Claim 5,

Line 1, "claim 4", has been replaced with, -- claim 1--.

Claim 7,

Line 1, "claim 6", has been replaced with, -- claim 1--.

Claim 47,

Line 1, "claim 46", has been replaced with, -- claim 38--.

Allowable Subject Matter

4. The following is an examiner's statement of reasons for allowance: the prior art does not teach or fairly suggest a method for facilitating inverse multiplexing over ATM, comprising: receiving a stream of sequentially aligned ATM cells via an originating end point logical communication link; associating a sequence identifier with each one of the cells *including determining a sequence code for each one of the cells and inserting the sequence identifier code for each of the cells into a header portion of a corresponding one of the cells and identifying when a particular sequence identifier results in a header portion bit value that corresponds to a reference bit value designating a reference function*; holding a first portion and a second portion of the cell in a first and second transmitter queue associated with a first and second IM link; and sequentially forwarding the cells from each queue over the IM link wherein the first IM link has a data transmission rate disparate in at least one direction with respect to the transmission rate of the second IM, as recited in independent claims 1 and 25

5. The prior art also does not teach or fairly suggest a data processor program product, comprising: a first data processor program processable by a first data processor; a first apparatus from which the first processor program is accessible by the first processor; and the program enabling the processor to: receiving a stream of sequentially aligned ATM cells via an originating end point logical communication link; associating a sequence identifier with each one of the cells; holding a first portion and a second portion of the cell in a first and second transmitter queue associated with a first and second IM link; *specifying a cell capacity of the first and second transmitter queue, wherein the cell capacity of the first and second*

transmitter queue are based on a reference data transmission rate of the first one of the plurality of IM communication links and to a reference data transmission rate of the second one of the plurality of IM communication links respectively; and sequentially forwarding the cells from each queue over the IM link wherein the first IM link has a data transmission rate disparate in at least one direction with respect to the transmission rate of the second IM, as recited in independent claims 38, 62, 63 and 83.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.
2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Roberta A Shand
Examiner
Art Unit 2665



STEVEN NGUYEN
PRIMARY EXAMINER